

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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Tam Tran Minh,

Civ. No. 06-635 (RHK/RLE)

Petitioner,

vs.

ORDER

R.L. Morrison, Warden,

Respondent.)

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Based upon the Report and Recommendation of United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter,

IT IS ORDERED:

1. Petition for a Writ of Habeas Corpus, pursuant to Title 28 U.S.C. §2241 [Doc. No.1] is **GRANTED.**
2. Respondent is directed to reconsider the date when Petitioner should be assigned to a CCC, in light of the criteria set forth in Title 18 U.S.C. § 3621(b) and without regard to 28 C.F.R. §§ 570.20 and .21.

Dated: May 2, 2006

s/ Richard H. Kyle
Richard H. Kyle
United States District Judge